

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

CHRISTOPHER PRINCE,	)	
	)	Civil Action No. 2: 15-cv-1202
Plaintiff,	)	
	)	
v.	)	United States Magistrate Judge
	)	Cynthia Reed Eddy
CORIZON HEALTH INC., et al.,	)	
	)	
Defendants.	)	

**ORDER**

On January 22, 2016, Plaintiff filed a Notice of Death of Defendant Dr. Michael Patterson. (ECF No. 19). In addition, Plaintiff filed Motion for Substitution of Party and to Amend Case Caption, informing the court that Plaintiff's counsel was informed in November of 2015 that Defendant Dr. Michael Patterson had passed away. (ECF No. 20). Plaintiff represents that Sarah A. Patterson is the Personal Representative and Administratrix of the Estate of Dr. Michael Patterson.

Federal Rule of Civil Procedure 25(a)(3) requires that both the Notice of Death and the Motion to Substitute Party and to Amend Case Caption be served on nonparties pursuant to Rule 4. Sarah A. Patterson, the Personal Representative and Administratrix of the Estate of Dr. Michael Patterson, is a nonparty to this lawsuit, and thus, must be served with the Notice of Death and the Motion to Substitute Party and to Amend Case Caption pursuant to Rule 4. *See Giles v. Campbell*, 698 F. 3d 153, 157 (3d Cir. 2012). Plaintiff has not provided this court with proof of service in accordance with Rule 4.

Therefore, counsel for Plaintiff shall serve the Notice of Death and the Motion for Substitution of Party and to Amend Case Caption upon Sarah A. Patterson, the Personal

Representative and Administratrix of the Estate of Dr. Michael Patterson, in accordance with Federal Rule of Civil Procedure 4 and shall notify the Court when service has been effectuated. After being provided with such notice, the Court will rule upon the Motion for Substitution of Party.

So **ORDERED** this 1st day of February, 2016.

s/Cynthia Reed Eddy  
Cynthia Reed Eddy  
United States Magistrate Judge

cc: All Parties  
(via ECF electronic notification)